

ANDERSON EXHIBIT 7B

and various other price publications, (2) First Databank, publisher of the Blue Book and other electronic price publications; or (3) Medi-Span, Inc.², publisher of an electronic or automated price service and the Hospital Formulary Pricing Guide. Thomson Publishing, First Databank and Medi-Span, Inc. are hereafter referred to as the "Publishers" and their various publications and data services are hereinafter referred to as "Price Publications."

46. In addition to relying on the manufacturers' reported prices as published in the Price Publications, some State Medicaid programs also received price representations directly from manufacturers, and relied on these representations to confirm the accuracy of the figures they use to determine state reimbursement amounts. For example, the State of Texas required drug companies to submit their prices directly to the Texas Medicaid program in a signed certification attesting to the accuracy of the price information.

E. DRUG WHOLESALERS' ROLE

47. The majority of Abbott's drugs, including the Drugs specified in this Complaint, are distributed through drug wholesalers who resell and distribute the drugs to hospitals, pharmacies, physicians and clinics.

48. Three companies, Mckesson Drug, Cardinal and Amerisource Bergen have comprised an overwhelming majority of the U.S. wholesale drug market during the relevant time period. Wholesalers generally sell to any health care provider(such as

²Any variance between the prices reported by the companies First Databank and Medi-Span is minimal.

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pharmacies, physicians and clinics) who can lawfully dispense or administer prescription drugs.

VII. ABBOTT'S SCHEME

49. From at least on or before January 1, 1994, and continuing through the present, Abbott defrauded the United States by knowingly causing the Medicaid Program to pay false or fraudulent claims for various drugs including but not limited to forms of Erythromycin.³

50. The specific Drug products at issue herein are identified by NDC number in ¶33 above and are hereinafter referred to jointly as the "Drugs."

51. Abbott marketed and sold its products, including the Drugs, to Customers. The Customers purchased the products either directly from Abbott, through a GPO contract or through wholesalers.

52. The amount paid by a Customer was typically based on a price negotiated with Abbott or the GPO.

53. Abbott offered "contract pricing" to many of its customers that was less than "non-contract" or "Regular Cost" prices generally offered by wholesalers to any customer. Attached as **Exhibit B** is a print out from the Econolink software program for the wholesaler McKesson showing the AWP, Regular Cost and Contract Price. Exhibit

³ Erythromycin is an oral antibiotic drug and is used to treat many different types of infections. Pediazole is a combination of Erythromycin and Sulfisoxazole which is used to treat ear infections in children. It also may be used for other purposes. E.E.S., or Erythromycin Ethylsuccinate, is used for treatment of infections and may be used for the prevention of heart infections.

B shows a "Contract Price" for Ery-Tab 250 MG which is less than the "Regular Cost." Abbott created inflated spreads on all the Drugs at issue for customers that purchased the drugs at Regular Cost, available to virtually any industry customer, and an even greater spread for those purchasing the Drugs "under contract".

54. Regardless of the method of purchase, Abbott's Customers submitted claims for payment to Medicaid when an Abbott product was dispensed to a program beneficiary. The claims submitted by Abbott's Customers were paid at amounts directly influenced by Abbott's false and fraudulent prices.

55. Abbott routinely disseminated false pricing information for the Drugs to the Pricing Publications. Abbott employees typically reported the false and fraudulent prices to the Pricing Publications annually, although they sometimes did so more often. On most occasions, Abbott reported inflated "List Prices" or "Direct Prices" (both referred to hereinafter as LP), WACs and/or AWP. A LP is supposed to reflect the price paid by a Customer that buys drugs directly from Abbott and not through a wholesaler.

56. Abbott knew that the prices it reported to the pricing compendia, including both WAC and LP, controlled the pricing compendia's report of AWP. To the extent that Abbott reported WACs for the Drugs, Abbott knew that the WAC prices it reported controlled the pricing compendia's report of WAC. Furthermore, Abbott, in some instances, verified the pricing compendia's reports of WAC, LP and AWP.

57. With extremely few exceptions, Abbott reported increasingly higher prices for the Drugs from at least on or before January 1, 1994 through the present. At the

same time, the prices Abbott actually charged to its Customers, the prices generally and currently available in the marketplace, decreased or remained the same.

58. Abbott knew that the prices it reported to the Price Publications directly affected reimbursement amounts paid by the Medicaid Program. The false or fraudulent prices Abbott reported to the Price Publications caused inflated government reimbursement amounts on claims submitted by Abbott's Customers for the Drugs. Attached as **Exhibit A** is a chart setting out some examples for each NDC at issue showing: reported prices (AWP and WAC), Relator Cost and the corresponding spreads(difference between the prices at which Abbott actually sold its drugs and the false prices reported by Abbott). The prices listed as those available to the Relator, as a small volume infusion pharmacy, are some of the highest prices offered by Abbott in the marketplace. Therefore, the inflated spreads available to the Relator were some of the lowest spreads in the marketplace.

59. Abbott manipulated its LPs, AWP's and WAC's to induce its Customers to purchase Abbott's products, including the Drugs, by marketing to its Customers the huge profits that would result. Abbott actively used the inflated spreads and huge profits as a marketing tool directed at providers to promote increased sales of the Drugs. The spreads, in effect, marketed themselves. Any purchaser could easily calculate the potential profit using the reported prices and the actual sales price. For example, the inflated spreads were readily apparent from information on Econolink software programs available from the wholesaler McKesson. See **Exhibit B**.

60. Abbott was well aware of how Medicaid used Abbott's reported pricing information to set reimbursement levels to providers for Abbott products.

61. The Medicaid programs did not know of or sanction Abbott's conduct as set forth in this Complaint; i.e., the deliberate manipulation of its published prices to create inflated reimbursement spreads that would induce its Customers to purchase the Drugs. Abbott never disclosed to the Medicaid programs its false price reporting practices.

62. Abbott's scheme to defraud the United States by causing inflated reimbursements for the Drugs ran from at least 1995 through the present. Over that time period, Medicaid paid in excess of \$144 Million for the Drugs at issue (identified by 43 NDC numbers).

63. During that time period, Abbott reported increasingly higher LPs, WACs and AWP's for the Drugs to the Price Publications while the actual contract prices at which Abbott sold the Drugs to its Customers decreased or remained the same.

64. For example, Abbott's false and fraudulent price reporting on its ERY-TAB 333MG, NDC 00074-6320-13, represents how Abbott reported false and fraudulent prices. **Exhibit C** shows the following for ERY-TAB 333MG: the reported AWP and WAC prices; the "Wholesaler List Price to Relator" otherwise known as the "Regular Cost" or non-contract cost; the "Contract Price to Relator"; and the corresponding dollar and percentage spreads created by Abbott's false price reports.

65. In 1994, the published AWP for Abbott's ERY-TAB 333MG was \$34.97. By 1996, Abbott reported false prices that drove the AWP for ERY-TAB 333MG to

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\$35.98. By 2004, Abbott reported false prices that drove the AWP to \$38.88. At the same time, the price at which Abbott's ERY-TAB 333MG was widely available to purchasers such as the Relator remained the same or decreased. The price for Abbott's ERY-TAB 333MG available to the Relator in 1994 was \$12.82 and the price available for Abbott's ERY-TAB 333MG to the Relator in 2005 was \$11.55; the difference (and potential profit) between the reported price and the actual selling price for ERY-TAB 333MG was as great as \$27.33 a dose, or more than two times the actual price at which Abbott sold ERY-TAB 333MG to Customers such as the Relator.

66. Likewise, the WAC for Abbott's ERY-TAB 333 MG also increased while the prices Abbott charged its customers for the drug decreased. The WAC for ERY-TAB 333 MG rose from \$29.45 in 1994 to \$31.10 in 2005.

67. Abbott's false and fraudulent price reporting on ERY-TAB 250MG, NDC 00074-6304-13, is another example of Abbott's manipulation of the spread. **Exhibit D** shows the following for Abbott's ERY-TAB 250MG: the reported AWP and WAC prices; the "Wholesaler List Price to Relator" otherwise known as the "Regular Cost" or non-contract cost; the "Contract Price to Relator"; and the corresponding dollar and percentage spreads created by Abbott's false price reports. In 1994, Abbott caused the AWP to be published as \$23.75, but by 2005 the AWP had risen to \$26.41. The price to the Relator, however, decreased over that same time period from \$7.50 in 1994 to \$6.60 in 2005; the difference (and potential profit) between the reported price and the actual selling price for ERY-TAB 250MG was as great as \$19.81 a dose, or more than two times the actual price at which Abbott sold ERY-TAB 250MG.

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68. Likewise the WAC for ERY-TAB 250 MG also increased from \$19.00 in 1994 to \$21.13 in 2005.

69. Abbott fully controlled and manipulated the WACs, DPs, LPs and AWP for the Drugs to boost its sales at the expense of third party payors, including Medicaid.

70. Between at least 1994 and through the present, Abbott knowingly manipulated its reported prices for the entire list of Drugs specified in paragraph 33 to create inflated spreads and knowingly marketed those inflated spreads to induce Customers to purchase the Drugs.

FIRST CAUSE OF ACTION

(False Claims Act: Presentation of False Claims)
(31 U.S.C. § 3729(a)(1))

71. Plaintiff repeats and realleges ¶¶ 1 through 70 as fully set forth herein.

72. Abbott knowingly presented or caused to be presented false or fraudulent claims for payment or approval to the United States for the Drugs for reimbursement that were substantially higher than providers' actual acquisition costs for the Drugs and based on reported prices that were fraudulently and artificially manipulated by Abbott. Abbott knowingly used the spread as an unlawful inducement in violation of the federal anti-kickback statute, causing resulting false and fraudulent claims to be submitted.

73. By virtue of the false or fraudulent claims that Abbott caused to be made, the United States has suffered damages and therefore is entitled to multiple damages under the False Claims Act, to be determined at trial, plus civil penalties of not less than \$5,000 and up to \$10,000 for each violation occurring before September 29, 1999, and

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not less than \$5,500 and up to \$11,000 for each violation occurring on or after September 29, 1999.

SECOND CAUSE OF ACTION

(False Claims Act: Making or Using False
Records or Statements to Cause Claims to be Paid)
(31 U.S.C. § 3729(a)(2))

74. Plaintiff repeats and realleges ¶¶ 1 through 70 as if fully set forth herein.

75. Abbott knowingly made, used, or caused to be made or used, false records or statements to cause false or fraudulent claims to be paid or approved by the United States.

76. By virtue of the false records or false statements made by Abbott, the United States suffered damages and therefore is entitled to treble damages under the False Claims Act, to be determined at trial, plus civil penalties of not less than \$5,000 and up to \$10,000 for each violation occurring before September 29, 1999, and not less than \$5,500 and up to \$11,000 for each violation occurring on or after September 29, 1999.

PRAYER FOR RELIEF

WHEREFORE, the Plaintiff, on behalf of the United States, demands and prays that judgment be entered in its favor against Abbott, jointly and severally, as follows:

1. On the First and Second Causes of Action, for the amount of the United States' damages, trebled as required by law, and such civil penalties as are required by law, together with all such further relief as may be just and proper.

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2. The Relator requests that it receive an award from the proceeds of the action pursuant to 31 U.S.C. § 3730(d) including a percentage of the proceeds of the action, and reasonable expenses necessarily incurred, plus reasonable attorneys' fees and costs.

DEMAND FOR JURY TRIAL

The Relator, on behalf of the United States, demands a jury trial in this case.

Respectfully Submitted,
Attorneys for Plaintiff,
Ven-A-Care of the Florida Keys, Inc.

/s/ Jonathan Shapiro
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RIKLIN, CHOATE & WATSON
John E. Clark
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San Antonio, Texas 78212-9680
Phone: 210-733-6030

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of August, 2007, I caused a copy of this Complaint to be delivered to George B. Henderson, II, Assistant U.S. Attorney, United States Courthouse, 1 Courthouse Way, Suite 9200, Boston, MA 02210 and Laurie Oberembt, Trial Attorney and Gejaa T. Gobena, Trial Attorney, U.S. Department of Justice, Civil Division, Commercial Litigation Branch, Fraud Section, P. O. Box 261, Ben Franklin Station, Washington, DC 20044.

/s/ Jonathan Shapiro
Jonathan Shapiro

Drug/Dosage	NDC	Year	First Databank AWP	MediSpan WAC	Price to Relator	AWP \$ Spread	AWP % Spread	WAC \$ Spread	WAC % Spread
ERYTHROMYCIN ES 400 MG TAB	00074-2589-13	2001	\$23.24	\$18.59	\$10.72	\$12.52	216.7910448	\$7.87	173.4141791
ERYTHROMYCIN ES 400 MG TAB	00074-2589-53	2001	\$110.38	\$88.30	\$52.00	\$58.38	212.2692308	\$36.30	169.8076923
ERYTHROMYCIN 200 MG/5 ML SUSP	00074-3747-16	2001	\$20.76	\$16.62	\$7.82	\$12.94	265.4731458	\$8.80	212.5319693
ERYTHROMYCIN 400 MG/5 ML SUSP	0007-43748-16	2001	\$38.67	\$30.94	\$16.97	\$21.70	227.8727166	\$13.97	182.3217443
E.E.S. 400 FILMTAB	00074-5729-13	2001	\$23.24	\$18.59	\$14.37	\$8.87	161.7258177	\$4.22	129.3667363
E.E.S. 400 FILMTAB	00074-5729-19	2001	\$205.52	\$164.42	\$135.03	\$70.49	152.2032141	\$29.39	121.7655336
E.E.S. 400 FILMTAB	00074-5729-53	2001	\$110.38	\$88.30	\$69.67	\$40.71	158.4326109	\$18.63	126.7403474
ERYTHROMYCIN 500 MG FILMTAB	00074-6227-13	2001	\$27.15	\$21.72	\$13.55	\$13.60	200.3690037	\$8.17	160.295203
ERYTHROMYCIN 250 MG CAP EC	00074-6301-13	2001	\$25.77	\$20.62	\$10.27	\$15.50	250.9250243	\$10.35	200.7789679
ERYTHROMYCIN 250 MG CAP EC	00074-6301-53	2001	\$124.98	\$99.99	\$48.68	\$76.30	256.73788	\$51.31	205.4026294
ERY-TAB 250 MG TABLET EC	00074-6304-11	2001	\$27.55	\$23.20	\$9.90	\$17.65	278.2828283	\$13.30	234.3434343
ERY-TAB 250 MG TABLET EC	00074-6304-13	2001	\$25.18	\$20.14	\$7.21	\$17.97	349.2371706	\$12.93	279.334258
ERY-TAB 250MG TABLET EC	00074-6304-30	2001	\$7.55	\$6.36	\$2.76	\$4.79	273.5507246	\$3.60	230.4347826
ERY-TAB 250MG TABLET EC	00074-6304-40	2001	\$10.07	\$8.48	\$3.67	\$6.40	274.386921	\$4.81	231.0626703
ERY-TAB 250 MG TABLET EC	00074-6304-53	2001	\$119.58	\$95.67	\$34.93	\$84.65	342.3418265	\$60.74	273.8906384
E.E.S. 200 MG/5 ML SUSPENSION	00074-6306-16	2001	\$20.76	\$16.62	\$12.67	\$8.09	163.851618	\$3.95	131.1760063
ERYTHROCIN 500 MG FILMTAB	00074-6316-13	2001	\$26.35	\$21.08	\$13.30	\$13.05	198.1203008	\$7.78	158.4962406
ERY-TAB 333 MG TABLET EC	00074-6320-11	2001	\$39.44	\$33.21	\$15.37	\$24.07	256.6037736	\$17.84	216.0702668
ERY-TAB 333 MG TABLET EC	00074-6320-13	2001	\$37.06	\$29.65	\$11.66	\$25.40	317.838765	\$17.99	254.2881647
ERY-TAB 333MG TABLET EC	00074-6320-30	2001	\$12.35	\$9.88	\$4.35	\$8.00	283.908046	\$5.53	227.1264368
ERY-TAB 333 MG TABLET EC	00074-6320-53	2001	\$176.05	\$140.84	\$56.57	\$119.48	311.2073537	\$84.27	248.965883
ERY-TAB 500 MG TABLET EC	00074-6321-11	2001	\$44.88	\$37.79	\$19.31	\$25.57	232.418436	\$18.48	195.701709
ERY-TAB 500 MG TABLET EC	00074-6321-13	2001	\$42.50	\$33.01	\$16.74	\$25.76	253.8829152	\$16.27	197.1923536
ERYTHROMYCIN 250 MG FILMTAB	00074-6326-11	2001	\$19.53	\$16.45	\$9.66	\$9.87	202.173913	\$6.79	170.2898551
ERYTHROMYCIN 250 MG FILMTAB	00074-6326-13	2001	\$14.78	\$11.83	\$6.79	\$7.99	217.6730486	\$5.04	174.2268041
ERYTHROMYCIN 250 MG FILMTAB	00074-6326-53	2001	\$70.24	\$56.19	\$32.99	\$37.25	212.9130039	\$23.20	170.3243407
ERYTHROCIN 250 MG FILMTAB	00074-6346-19	2001	\$134.42	\$107.54	\$64.32	\$70.10	208.9863184	\$43.22	167.1952736
ERYTHROCIN 250 MG FILMTAB	00074-6346-20	2001	\$14.58	\$11.67	\$6.83	\$7.75	213.4699854	\$4.84	170.863836
ERYTHROCIN 250 MG FILMTAB	00074-6346-38	2001	\$16.96	\$14.28	\$10.03	\$6.93	169.0927218	\$4.25	142.3728814
ERYTHROCIN 250 MG FILMTAB	00074-6346-41	2001	\$6.14	\$4.91	\$3.31	\$2.83	185.4984894	\$1.60	148.3383686
ERYTHROCIN 250 MG FILMTAB	00074-6346-53	2001	\$69.29	\$55.43	\$33.20	\$36.09	208.7048193	\$22.23	166.9578313
E.E.S. 400 MG/5 ML SUSPENSION	00074-6373-16	2001	\$38.67	\$30.94	\$21.58	\$17.09	179.1936979	\$9.36	143.373494
ERYTHROMYCIN/SULFISOX SUSP	00074-7156-13	2001	\$12.77	\$10.21	\$4.21	\$8.56	303.3254157	\$6.00	242.5178147
ERYTHROMYCIN/SULFISOX SUSP	00074-7156-43	2001	\$18.88	\$15.11	\$6.32	\$12.56	298.7341772	\$8.79	239.0822785
ERYTHROMYCIN/SULFISOX SUSP	00074-7156-53	2001	\$24.82	\$19.86	\$8.42	\$16.40	294.7743468	\$11.44	235.8669834
PEDIAZOLE ORAL SUSPENSION	00074-8030-13	2001	\$17.75	\$14.20	\$10.51	\$7.24	168.8867745	\$3.69	135.1094196
PEDIAZOLE ORAL SUSPENSION	00074-8030-43	2001	\$26.37	\$21.10	\$15.57	\$10.80	169.3641618	\$5.53	135.5170199
PEDIAZOLE ORAL SUSPENSION	00074-8030-53	2001	\$34.63	\$27.70	\$20.40	\$14.23	169.754902	\$7.30	135.7843137

EXHIBIT "A"

08/09/01

15:54

M c K e s s o n ECONOLINK System

Facility: VENA CARE

Range: From - 00074-6304-13

Selected By: NDC Code

Thru - 00074-6304-13

Sorted By: NDC Code

Description: ERY-TAB 250MG E/C 100

Economost #: 1932102

Subst Econo #:

Local #:

Local Dept:

Generic: 40730 ERYTHROMYCIN BASE

Mica Dept: AD

Therapeutic: 081212 MACROLIDES

Form: TABLET DR

NDC: 00074-6304-13

Mfg Unit: TAB

UPC: 3-00746-30413

Strength: 250MG

Mfg Name: ABBOTT LABORATORIES

Sched: 6

Alt Source:

Std Ord Min: 001

Alternate ID:

Size: 100.00

AWP: \$26.50

Order Unit: EA

AWP Last Updt: 08/09/01

Case Qty: 00048

REG Price: \$7.72

Qual Qty: 0

Price CD:

" Start Date: 00/00/00

End Date: 00/00/00

Last Update: 04/20/00

CNTR/SPCL Price: \$7.21

Qual Qty: 1

Price CD: E

" Start Date: 07/01/01

End Date: 10/31/01

Last Update: 08/09/01

Retail Price: .00

Reg Code:

Retail Type:

Reg Price:

Rtl Base Cost: .00

A.W.P.:

National Cost: .00

Profit %: .00

Sugg Retail: .00

Label Cnt:

Zone Cust:

Last Maint: 00/00/00

Reorder Quantity:

Source Supply: 0000

Reorder Point: .00

Inventory Cnts: .000

ABC Velocity Ind:

Physical Loc:

EXHIBIT "B"

08/09/01

M c K e s s o n

ECONOLINK System

15:54

Facility: VENA CARE

Range: From - 00074-6320-13

Selected By: NDC Code

Thru - 00074-6320-13

Sorted By: NDC Code

Description: ERY-TAB 333MG E/C 100

Economost #: 1150804

Subst Econo #:

Local #:

Local Dept:

Generic: 40731 ERYTHROMYCIN BASE

Mica Dept: AD

Therapeutic: 081212 MACROLIDES

Form: TABLET DR

NDC: 00074-6320-13

Mfg Unit: TAB

UPC: 3-00746-32013

Strength: 333MG

Mfg Name: ABBOTT LABORATORIES

Sched: 6

Alt Source:

Std Ord Min: 001

Alternate ID:

Size: 100.00

AWP: \$39.01

Order Unit: EA

AWP Last Updt: 08/09/01

Case Qty: 00048

REG Price: \$13.20

Qual Qty: 0

Price CD:

" Start Date: 00/00/00

End Date: 00/00/00

Last Update: 04/20/00

CNTR/SPCL Price: \$11.66

Qual Qty: 1

Price CD: E

" Start Date: 07/01/01

End Date: 10/31/01

Last Update: 08/09/01

Retail Price: .00

Reg Code:

Retail Type:

Reg Price:

Rtl Base Cost: .00

A.W.P.:

National Cost: .00

Profit %: .00

Sugg Retail: .00

Label Cnt:

Zone Cust:

Last Maint: 00/00/00

Reorder Quantity:

Source Supply: 0000

Reorder Point: .00

Inventory Cnts: .000

ABC Velocity Ind:

Physical Loc:

EXHIBIT "B"

Drug/Dosage	NDC	Year	First Databank AWP	MediSpan WAC	Wholesaler List Price to Relator	Contract Price to Relator	AWP \$ Spread	AWP % Spread	WAC \$ Spread	WAC % Spread
ERY-TAB 333 MG TABLET EC	00074-6320-13	1994	\$34.97	\$29.45	\$12.82		\$22.15	272.7769111	\$16.63	229.7191888
ERY-TAB 333 MG TABLET EC	00074-6320-13	1995	\$34.97	\$29.45	\$12.82		\$22.15	272.7769111	\$16.63	229.7191888
ERY-TAB 333 MG TABLET EC	00074-6320-13	1996	\$35.98	\$28.79	\$12.82		\$23.16	280.6552262	\$15.97	224.5709828
ERY-TAB 333 MG TABLET EC	00074-6320-13	1997	\$35.98	\$28.79	\$13.20		\$22.78	272.5757576	\$15.59	218.1060606
ERY-TAB 333 MG TABLET EC	00074-6320-13	1998	\$35.98	\$28.79	\$13.20		\$22.78	272.5757576	\$15.59	218.1060606
ERY-TAB 333 MG TABLET EC	00074-6320-13	1999	\$37.06	\$29.65	\$13.20		\$23.86	280.7575758	\$16.45	224.6212121
ERY-TAB 333 MG TABLET EC	00074-6320-13	2000	\$37.06	\$29.65	\$13.20		\$23.86	280.7575758	\$16.45	224.6212121
ERY-TAB 333 MG TABLET EC	00074-6320-13	2001	\$37.06	\$29.65		\$11.66	\$25.40	317.838765	\$17.99	254.2881647
ERY-TAB 333 MG TABLET EC	00074-6320-13	2002	\$37.06	\$29.65		\$11.66	\$25.40	317.838765	\$17.99	254.2881647
ERY-TAB 333 MG TABLET EC	00074-6320-13	2003	\$37.06	\$29.65	\$13.20		\$23.86	280.7575758	\$16.45	224.6212121
ERY-TAB 333 MG TABLET EC	00074-6320-13	2004	\$38.88	\$31.10		\$11.55	\$27.33	336.6233766	\$19.55	269.2640693
ERY-TAB 333 MG TABLET EC	00074-6320-13	2005	\$38.88	\$31.10		\$11.55	\$27.33	336.6233766	\$19.55	269.2640693

EXHIBIT "C"

Drug/Dosage	NDC	Year	First Databank AWP	MediSpan WAC	Wholesaler List Price to Relator	Contract Price to Relator	AWP \$ Spread	AWP % Spread	WAC \$ Spread	WAC % Spread
ERY-TAB 250 MG TABLET EC	00074-6304-13	1994	\$23.75	\$19.00	\$7.50		\$16.25	316.6667	\$11.50	253.33333
ERY-TAB 250 MG TABLET EC	00074-6304-13	1995	\$23.75	\$19.00	\$7.50		\$16.25	316.6667	\$11.50	253.33333
ERY-TAB 250 MG TABLET EC	00074-6304-13	1996	\$24.44	\$19.55	\$7.50		\$16.94	325.8667	\$12.05	260.66667
ERY-TAB 250 MG TABLET EC	00074-6304-13	1997	\$24.44	\$19.55	\$7.72		\$16.72	316.5803	\$11.83	253.23834
ERY-TAB 250 MG TABLET EC	00074-6304-13	1998	\$24.44	\$19.55	\$7.72		\$16.72	316.5803	\$11.83	253.23834
ERY-TAB 250 MG TABLET EC	00074-6304-13	1999	\$25.18	\$20.14	\$7.72		\$17.46	326.1658	\$12.42	260.88083
ERY-TAB 250 MG TABLET EC	00074-6304-13	2000	\$25.18	\$20.14	\$7.72		\$17.46	326.1658	\$12.42	260.88083
ERY-TAB 250 MG TABLET EC	00074-6304-13	2001	\$25.18	\$20.14		\$7.21	\$17.97	349.2372	\$12.93	279.33426
ERY-TAB 250 MG TABLET EC	00074-6304-13	2002	\$25.18	\$20.14		\$7.21	\$17.97	349.2372	\$12.93	279.33426
ERY-TAB 250 MG TABLET EC	00074-6304-13	2003	\$25.18	\$20.14	\$7.47		\$17.71	337.0817	\$12.67	269.61178
ERY-TAB 250 MG TABLET EC	00074-6304-13	2004	\$26.41	\$21.13		\$6.60	\$19.81	400.1515	\$14.53	320.15152
ERY-TAB 250 MG TABLET EC	00074-6304-13	2005	\$26.41	\$21.13		\$6.60	\$19.81	400.1515	\$14.53	320.15152

EXHIBIT "D"